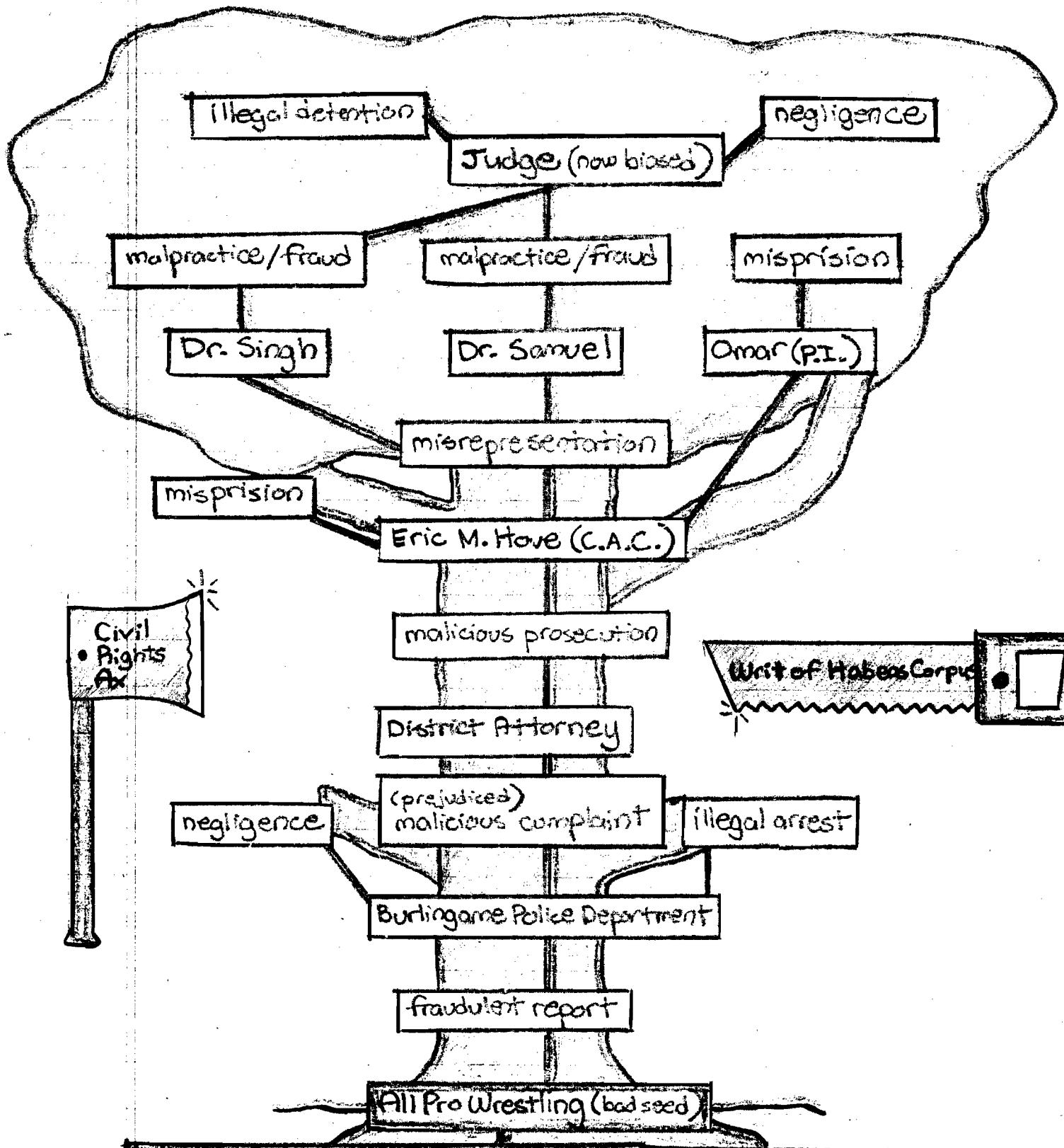


Raw Information in All Pro Wrestling v. Pogtakian (San Mateo County)

page #0



Crimes committed against the defendant (roots of tree)

PC181 PC182(a)(2) PC182(a)(4) PC519(2) PC519(3) PC519(4) PC137(a) PC137(b)
PC137(c) PC136.1(1) PC136.1(2) PC136.1(b)(1) PC136.1(b)(3) PC474 PC620
PC422 PC415 PC646.9 PC653m PC236.1 PC153 PC186.22.(e)(1) PC186.22.(e)(8)
PC186.22.(e)(18) PC186.22.(e)(24) PC186.22.(e)(19)

page 1

Rights, Penal Code, Definitions, Notes & Figures

Art. I, §24 In criminal cases the rights of a defendant to equal protection of the laws, to due process of law, to the assistance of counsel, to be personally present with counsel, to a speedy and public trial, to compel the attendance of witnesses, to confront the witnesses ^{and is factual.} they are further against him or her, to be free from unreasonable search and seizures, to privacy, to not be compelled to be a witness against himself or herself, to not be placed twice in jeopardy for the same offense, and to not suffer the imposition of cruel or unusual punishment, shall be construed by the courts of this state in a manner consistent with the Constitution of the United States..

Art. I, §29 Due process; speedy and public trial; criminal cases
In a criminal case, the people of the State of California have the right to due process of law and to a speedy and public trial.

PC 474 Forgery; telegraph or telephone messages; intent; punishment ... knowing the same to be false or forged, with intent to deceive, injure, or defraud another...

"further explained"

~~1st Court appointed attorney~~

(FRAUD/misrepresentation)

~~Eric M. Hove, 461 Laurel St., San Carlos Ca. 94070~~

~~(650) 594-4200 FAX (650) 594-4205~~

~~ericmhove@yahoo.com~~

page #2.

(All will be further explained.)

SEE PAGES 30-34

*Any decent and respectable probe will only support these claims.
Evidence is existent. IT IS THE DUTY OF THE COUNTY TO INVESTIGATE.

PC 182

APW&Co.

have committed

Definition; punishment; venue; evidence necessary to support conviction (a) if two or more persons conspire (1) to commit any crime. (2) falsely and maliciously to indict another for any crime, or procure another to be charged or arrested for any crime. (4) to cheat and defraud any person of any property, by any means which themselves criminal, or to obtain money or property by false pretenses or by false promises with fraudulent intent not to perform those promises.

PC 519

APW&Co.

have committed

Fear used to extort; threats inducing. Fear, such as will constitute extortion, may be induced by a threat, either: 2. To accuse the individual threatened, or any relative of his, or member of his family, of any crime; or, 3. To expose, or to impute to him or them any deformity, disgrace or crime; or 4. To expose any secret affecting him or them.

PC 137

APW&Co.

have committed

Influencing testimony or information given to a law enforcement official (a), (b), (c)

PC 136.1

APW&Co.

have committed

Intimidation of witnesses and victims; offenses; penalti- ties; enhancement; aggravation (1), (2) (b) (1) Mak- ing any report of that victimization to any peace officer or state or local law enforcement officer.. or prosecuting agency.. (3) Arresting or causing or seeking the arrest of any person in connection with that victimization.

page #3 * A prosecution based on and initiated on fraud, will only multiply
 on fraudulent acts and material. (Im sure most Justices would agree.)

APW, Roland &
 Co. have com-
 mitted.

(From law dictionary)

Conspiracy: an agreement by two or more persons to commit an unlawful act; a combination for an unlawful purpose.

the Burlington
 police department
 had conspired
 with APW and
 have committed
 constructive
 he BPD having been
 investigating for
 some time prior
 arrest permitted
 for co-conspirator
 APW
 tries to con-
 ue harassment
 of the defendant.
 SEE PAGE 35)

Entrapment: a law-enforcement officer's or government agent's inducement of a person to commit a crime, by means of fraud or undue persuasion, in an attempt to later bring a criminal prosecution against that person. • To establish entrapment (in most states), the defendant must show that he or she would not have committed the crime but for the fraud or undue persuasion.

Roland & Co.
 have slandered
 and defamed
 the defendant
 because he
 dropped out
 working a
 "partial" refund.

Libel: a defamatory statement expressed in a fixed medium, esp. writing but also a picture, sign, or electronic broadcast. (vb) To defame (someone) in a permanent medium, esp. writing.

APW, BPD,
 Roland & Co.:
 Eric M. Howe,
 Dr. Singh,
 Dr. Samuel
 all will be further explained.

Fraud: a knowing misrepresentation of the truth or concealment of a material fact to induce another to act to his or her detriment. • Fraud is usu. a tort, but in some cases (esp. when the conduct is willful) it may be a crime. 2. A misrepresentation made recklessly without belief in its truth to induce another person to act. 3. A tort arising from a knowing misrepresentation, concealment of material fact, or reckless misrepresentation made to induce another to act to his or her detriment.

page #4
with all disclosed
information consid-
ered, there are major
grounds contrary
to law

b • **habeas corpus** : a writ employed to bring a person before a court, most frequently to ensure that the party's imprisonment or detention is not illegal. • In addition to being used to test the legality of an arrest or commitment, the writ may be used to obtain review of (1) the regularity of the extradition process, (2) the rights or amount of bail, or (3) the jurisdiction of a court that has imposed a criminal sentence.

(continued) **fraud** : 4. Unconscionable dealing; esp., in contract law,

(APW&Roland) the unconscious use of the power arising out of the parties' relative positions and resulting in an unconscionable bargain. — fraudulent, adj.

(APW&Roland) **fraud in the inducement** : fraud occurring when

slavery (forced labor was not mentioned) a misrepresentation leads another to enter into a transaction with a false impression of the risks, duties, or obligations involved; an intentional misrepresentation of a material risk or duty reasonably relied on, thereby injuring the other party without vitiating the contract itself, esp. about a fact relating to

Eric M. Howe,
Dr. Singh, Dr.
Samuel, the
investigators
All Pro Wrestling

• malpractice
reports*

misrepresentation

• falsified police
report (payoffs)

• perjured testimony
and complaint

fraud on the court : in a judicial proceeding, a lawyer's or party's misconduct so serious that it undermines or is intended to undermine the integrity of the proceeding. • Examples are bribery of a juror and introduction of fabricated evidence.

*SEE PAGES 26, 40,
46, 47

intrinsic fraud : deception that pertains to an issue involved in an original action. • Examples include the use of fabricated evidence, a false return of service, perjured testimony, and false receipts or other commercial documents.

Burlingame
Police Department
detective
involved

(2) **malice** : reckless disregard of the law or of a person's legal rights (malicious intent SEE ABOVET)

page #5

Maliitiiis hominum est obviandum.

The malicious designs of man must be thwarted.

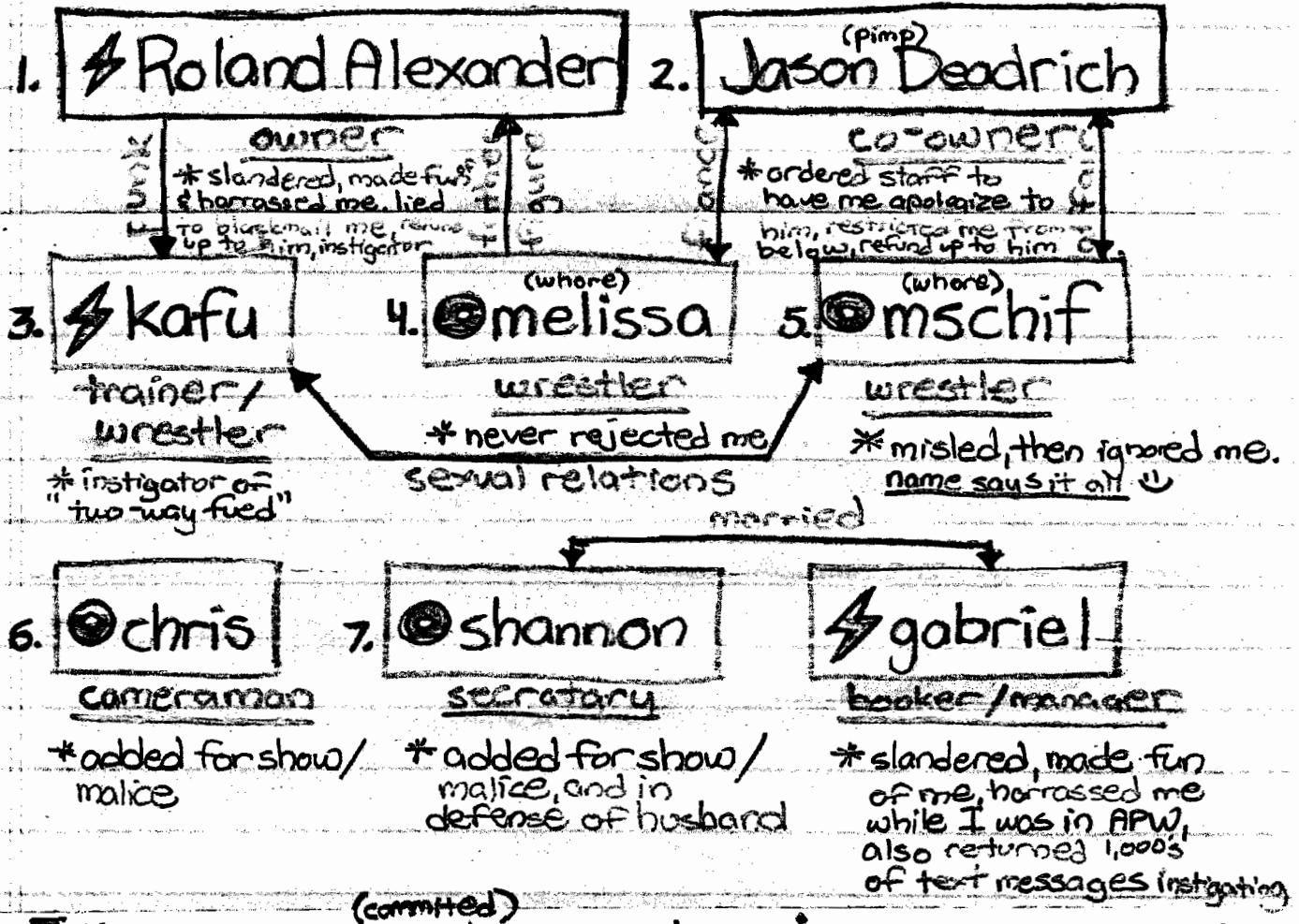
"All Pro Wrestling" Power Tree (of fraud & conspiracy)

key: (alleged victims are numbered)

□ = bosses "masterminds"

⚡ = instigators "harassers"

● = pawns

Figure 1**Following crimes made against me: (may include investigator)**not limited to; SEE PAGES 30-34

1. PC 182(a)(2)
2. PC 182(a)(4)
3. PC 519(2)
4. PC 519(3)
5. PC 519(4)
6. PC 137(a)
7. PC 137(b)
8. PC 137(c)
9. PC 136.1(1)
10. PC 136.1(2)
11. PC 136.1(b)(1)
12. PC 136.1(b)(3)
13. PC 474

* detective / officer claimed he was / had been working on my case for at least 6 months, admitted he coached victims to continuously invite me to the hayward gym the night of my arrest, to collect a refund of my tuition, it is very likely he had been conspiring with APW and not maintaining a professional and thorough investigation. no law enforcement official ever intervened to touch base with defendant before his

page #6

*motion to suppress (what should be inadmissible evidence) ^(MUST)

• SEE ALSO PAGE #10

Evidence

(seized @ arrest)

admissible 1 pair of Everlast 18oz. lace-up Sparring Gloves (black)

admissible 1 pair of Rival 18oz. lace-up Sparring Gloves (black)

admissible 1 silver RAZR cell phone (includes text messages and call logs from APW inviting me for a truce and a release from)

(investigator promised "thorough investigation" and claimed he would printout journals and emails before me, so I cooperated and let him into my home. Instead, he aggressively disconnected a PC tower in an entertainment center, and sluggishly pulled my notebook from a "music studio workstation")

inadmissible dell P4 tower (this is my sister's pc I refurbished)

admissible 1 hp PM notebook (contains journals & saved emails)
 <(the defendant should have power of audience for above)

(seized X days after arrest from my home)

inadmissible 1 replica/model katana (displayed atop armoire, ^{in peace setting})

inadmissible 1 replica/model naginata | behind my grandfather's funeral flag, of the U.S.)

*I studied Japanese martial arts as an early teen

inadmissible • 1st interview conducted after arrest. (investigator visited me in jail the morning before my arraignment.)

He claimed that he needed a 2nd interview because the audio for original was "distorted". Later he claimed it was a "videotape" and wasn't working.

This makes it "incomplete" and I believe it tampered.

admissible • 2nd interview (day of arraignment)

page #7

*I need 2 copies of these pages A.S.A.P., also a name correction!
see set of notes for my family
"Particulars"*

APW, BPD
the D.A.,
but appointed
counsel are
guilty of

misprision: concealment or nondisclosure of a serious crime by one who did not participate in the crime.

- misprision of felony: concealment or nondisclosure of someone else's felony.
- misprisor: one who commits misprision of felony.

*Court appo-
inted counsel
Dr. Singh's
Dr. Samuel's
presumption of
incompetency
see pages
25, 40, 46-47*

misrepresentation: 1. the act of making a false or misleading statement about something, usu. with the intent to deceive. 2. the statement so made; an assertion that does not accord with the facts. - Also termed *false representation*; (recklessly) *false misrepresentation*. - *misrepresent*,

*Police report
see page 48*

fraudulent misrepresentation: a false statement that is known to be false or is made recklessly without knowing or caring whether it is true or false - and that is intended to induce a party to detrimentally rely on it. - Also termed *fraudulent representation*; *deceit*. (note also: *innocent misrepresentation*, *negligent*..)

1. §14 Felony prosecution: filing of indictment or information; procedure in court before magistrate (right to counsel); listing and Sec. 14. Felonies shall be prosecuted as provided by law, either by indictment or, after examination and commitment by a magistrate, by information.

Page #8

Magna culpa dolus est.

Great fault (or gross negligence) is equivalent to fraud.

(continued)

Violated SEE
PAGES 11, 26, 30
thru 34, 43+

A person charged with a felony by complaint subscribed under penalty of perjury and on file in a court in the county where the felony is triable shall be taken without unnecessary delay before a magistrate of that court. The magistrate shall immediately give the defendant a copy of the complaint, inform the defendant of the defendant's right to counsel, allow the defendant a reasonable time to send for counsel, and on the defendant's request read the complaint to the defendant..

1. § 13

Violated SEE
PAGES 62, 30
thru 34

Searches and seizures; warrant Sec. 13. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable seizures and searches may not be violated; and a warrant may not issue except on probable cause, supported by oath or affirmation, particularly describing the place to be searched and the persons and things to be seized.

1. § 15

Violated SEE
PAGES 26, 40, 43+
46, 47, 49

Criminal cases; speedy public trial; compel attendance of witnesses; appearance and defense; counsel; depositions; double jeopardy; self-incrimination; due process Sec. 15. The defendant in a criminal cause has the right to a speedy public trial, to compel attendance of witnesses in the defendant's behalf,

to have the assistance of counsel for the defendant's defense to be personally present with counsel

THERE IS NO QUESTION THE DEFENDANT HAS BEEN VIOLATED BY FRAUD MISREPRESENTATION

page #9

Magna negligētia culpa est; magna culpa dolus est.
Great negligence is fault; great fault is fraud.

(continued)

and to be confronted with the witnesses against the defendant. The Legislature may provide for the deposition of a witness in the presence of the defendant and the defendant's counsel.

~~THE DEFENDANT HAS BEEN SLANDERED IN THE MEDIA, AS A RESULT OF A PERIODIC AND FALSE POLICE REPORT WHO IS BEING PREJUDGED BY A PRIOR IF 7 YEARS AGO~~

~~* PROMISING A FULL INVESTIGATION, THE EFFECTIVE COMMENCEMENT STATEMENTS FROM THE DEFENDANT AFTER AN LEGAL ARREST~~

~~SEE PAGES 29 AND 34 FOR DETAILS~~

Persons may not twice be put in jeopardy for the same offense, be compelled in a criminal cause to be a witness against themselves or be deprived of life, liberty, or property without due process of law.

motion: 1. a written or oral application requesting a court to make a specified ruling or order. 2. a proposal made under formal parliamentary procedure. (speaking motion: a motion that addresses matters not raised in the pleadings.)

~~THERE ARE MANY APPARENT PROCEDURAL DEFECTS IN THE PROSECUTION OF THE DEFENDANT.~~

~~FOR EXAMPLE: HAD PC13519.05. GUIDELINES BEEN FOLLOWED BY (Rule 41(a)) OR THE BPP, THIS INCIDENT WOULD HAVE CEASED.~~

motion to dismiss: a request that the court dismiss the case because of settlement, voluntary withdrawal, or a procedural defect. • Under the Federal Rules of Civil Procedure, a plaintiff may voluntarily dismiss the case, ~~but~~ based on one of the defenses listed in Rule 12(b), the defendant may ask the court to dismiss the case.

motion to suppress: a request that the court prohibit the introduction of illegally obtained evidence at a criminal trial.

* malicious motive: a motive for bringing a prosecution,

Page # 10

Malum non praesumitur.

Evil is not presumed.

(some evidence submitted by defense.)** IN ADDITION TO THOSE ON PAGE 6*

- (dated) • I receipt handwritten by Roland for \$500.payment
- (dated) • I receipt handwritten by Roland for \$1,000.payment
- (dated) • I faxed Wells Fargo document of \$500.check "
- (dated) • APW Contract completed in or about 12/05
- complete APW phone list
- (dated) • Burlingame Police Complaint Card
- (dated) • Letter from Roland regarding my complaint
- (dated) • Envelope received from McChiff & Merchants
- 2 videotapes of her
- Various photos including one autographed
- Personalized M&M's she sent along with the package stating via Yahoo Messenger, "I'll add something extra for the wait."
- (dated) • startofitall.txt (file from notebook)
- (dated) • partialrefundrequest.txt (file from notebook)
- (dated) • last.txt (file from notebook)
- (dated) • various emails saved offline in AOL software

**The above are totally relevant to my defense!*

Note: I was an employed and independent man living with myself, in my own home. I stayed busy at work and was training full time to become a professional boxer. I had intentions to enroll in a few classes this semester at CSM. Having financial obligations and responsibilities, I also looked out for my family. Due to this corruption, myself and parents are homeless.

page# 11

8-29-07

(11-11-07, still no police report
or complaint)

I need: (TODAY!) [To court appointed attorney: Please provide and with articles 1-6 asap.]

- ① startofitall.txt ② partial refund request.txt
- ③ last.txt (①③ on notebook in "MY Documents")
- ④ Police report ⑤ complaint
- ⑥ all emails in printed form coinciding with "①③"
(saved offline in AOL software)
- — • — • — • — • — • —

I need DONE!

* motions to suppress evidence [articles 1-4]

~~SEE PAGES~~ * (tower, ²katana, ³naginata, ⁴tampered, 1st interview MUST be thrown out)

(works for me) 2 pair of face-up 18oz. Pro-Sparring Gloves (Everlast & Rival)

(works for me) 2nd interview [country visit]

(works for me) notebook [home visit on promised investigation]

(who cares?) cellphone

* motion to dismiss case (arguments) [RATED]

*** • for probable cause of multiple crimes committed against the defendant by mob (of victims)

** • for probable cause of conspiracy (and entrapment) made by investigating officer

* • procedural defect

Page #12

~~(many months prior to my arrest I've been receiving a multiplying = of text messages, late night phone calls, crank calls from APW affiliates, and unidentified phone #'s)~~

6/26
(evening)

I AFFIRM AND
RE OATH AND
DECLARE UND
ER PENALTY OF
PERJURY THE IS
19.999%
ACCURATE OF
THE INITIAL
CONVERSATION THIS
NIGHT (Give and
take a "haha"
and interlaced
speech.)

I call kafu to have a truce after being inspired to return to APW, resulting from the surprising tragedy of a mentor, Chris Benoit. He answers as if he doesn't know, "Who's this?" "I've been getting calls from this number." I reply. "Who's this?!" he asks again in a tough voice. "You know who this is. Don't play stupid!" I reply. "Oh it's the muslim GOOK! The virgin with the small dick! Yeah brotha I fucked Ms-Chif! I fucked that bitch with my 10" dick. Yeah fuck you you GOOK! You faggot with the small dick, I'll beat your ass! Fuck MsChif, I pulled a train on that bitch!" he surprises me in hostile and annihilating tone. "What? What the fuck? You talk so much shit over the phone but you won't meet me? You know where I live, I don't know where you're at?" I proclaim, all the while he is laughing. I hear a female laughing as well. "Haha - Fuck you you muslim GOOK! GOOK! Yeah I fucked MsChif! I pulled a train on that bitch!" I hang up. He calls me back a couple minutes tops later. He asks that I leave him out of my feud with Roland, but I explain he is a reason why I left as well. After a while, he sorts us out with a message and I summarize his speech given to me. All is well till the next day it ends. I send a mass text message to APW affiliates regarding kafu's hostile remarks.

That isn't the end of kafu's phone calls and trash talking. His # (402) 226-9114

Lubricum linguae non facile trahendum est in poenam.

A slip of the tongue ought not^{to} be easily subject to punishment.

Page #13

7/5 ~~ims~~

(or about)

Kofu calls me a few times in the middle of the night leaving voice messages I avoid listening to in the last week, after work I decide to give him a call. Again he is playing dumb asking "Who's this?"

I listen without replying. He is speaking about text messages to someone and I decide to speak my mind on his previous racial and religious slurs. I let off some steam for a good while on my way to my landlord's shop to pay my rent.

I remind him of my home address and invite him over because he once boasted and asked Roland publicly for permission to "visit me and teach me a lesson". Leaving my home later that afternoon,

I noticed whom looked to be Lenny Thomas (an APW peer previously mentioned) staking out in a small brown car parked behind my truck. As I'm walking down the driveway towards my truck across the street, he starts the car, pulls out and speeds off. We make notable eye contact. I keep my gaze on him as he speeds off making the first right turn. The subject and vehicle is not a regular. I text APW affiliates of the matter, none of them denies it. I'm suspicious and a bit concerned.

Note: In July and August, (Gabriel Ramirez has refused to answer my calls or respond to my voice-messages), instead, he on "numerous occasions" with

SEE PAGES 36
37, 42, and
TEXT FILE APP.
TOP STAFF
OFFICE
and LAST PAGE

SEE PAGES 27
(a) & 27(b)

Page #14 In addition to the discrimination and harassment the defendant endured while in APW, he was continually harassed likewise via text messages, late night phone calls, and crank calls.

SCE PAGES 5, 12, 13, 22, 23, 24, 25, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 41,
42, STARTOFALL.TXT, PARTIALREFUNDREQUEST.TXT, LAST.TXT

following
sunday)

• I call (510) 582-8001, (from what it seems by the pre-recorded greeting) Janice answers. Looking to speak with Roland, I hang up on her. He has called me from this number numerous times talking trash, and I thought I had received texts from this # before, but during a 2nd phone call and conversation, Janice insists it's a land line. We speak. I apologize for my immaturity assuring her she has nothing to fear. She accepts my apology and soothes me with an understanding conversation. She explains she was once married to Roland and understands what I'm going through. She tells me that a refund would be up to both Roland and Jason. My cell phone powers off and we are disconnected. I'm driving.

(July thru
August)

• I remind APW affiliates that I still want a refund of my money through unanswered phone calls and texts. Sometimes I simply text in revert sarcasm, jokingly. Gabriel Ramirez replies with 1,000's at times. On one occasion in reply to a non-hostile text, kafu replies

"I'm hurt I wasn't invited to your sister's wedding.
Maybe I could of held (the pinay) close and became

an in-law!" This induced me to call him to no answer. I left him a message, proclaiming he crossed the line. Refusing to answer, I decide to forward that message to APW affiliates, quoting it and also speaking of Kafu's practice of trash-talking from afar.

Textread:
"My dream, My
Belief, My Victory."
-32 year old Undisputed
Cruiserweight
Boxing Champion
Marlon Estacio
Pogtakhan (sponsored by Nike)"

Kafu's reply was:
My dream is for
Marlon to shut the
fuck off! (sent
numerous times)
then he sent
the quoted text
message as add'l
trash numerous
times.

page 15

Manifesta probations non indigent.

Obvious facts are not in need of proof.

(case related terms from law dictionary)

(defendant - victim) - a person harmed by a crime, tort, or other wrong.

was subject to and left because of
by order of
Roland & Jason

forced labor - work exacted from a person under threat of penalty; work for which a person has not offered himself or herself voluntarily. (compulsory labor)

Roland & Co. - as well as
the officer
in charge have
committed

wrongful conduct - an act taken in violation of a legal duty; an act that unjustly infringes on another's rights. (wrongful act)

Roland, kofu - gabriel have
displayed

force - power, violence, or pressure directed against a person or thing.

Roland & Co. - used

constructive force - threats and intimidation to gain control or prevent resistance; threatening words or gestures.

Roland, Jason - kofu, Gabriel
are

wrongdoers - one who violates the law (both criminals and tortfeasors are wrongdoers)

APW & the
prosecution
have been

wrongful - characterized by unfairness or injustice.

is common
amongst APW
and some of
the harassment
I suffered was
of sexual
nature

sexual harassment - a type of employment discrimination consisting in verbal or physical abuse of a sexual nature. • indecent speech is protected under the First Amendment!

(REF: PAGE 23, STARTOFITALL.TXT,
PARTIALREFUNDREQUEST.TXT, LAST.TXT)

page 16

Maledicta expositio quae corrumpit textum.

It is a cursed construction that corrupts the text.

law was -
both a hostile
environment,
which is why
I left as
well as this

hostile-environment sexual harassment - sexual
harassment in which a work environment is cre-
ated where an employee is subject to unwelcome
verbal or physical sexual behavior that is eith-
er severe or pervasive.

many wrongs -
were committed
against me

wrong - breach of one's legal duty; violation of ano-
ther's legal right.

this malicious
prosecution
a result of
conspiracy &
entrapment is

continuing wrong - an ongoing wrong that is capa-
ble of being corrected by specified enforcement
(writ of habeas corpus, in example)

Boland & Co.
have done me
many

civil wrong - violation of noncriminal law, such as
a tort, breach of contract or trust.

Boland & Co.
Investigator
have committed
many

legal wrong - an act that is a violation of the law;
an act authoritatively prohibited by a rule of
law.

my prosecution
is clearly a

moral wrong - an act that is contrary to the rule
of natural justice. (also natural wrong)

Boland & Co.
willfully
committed

positive wrong - a wrongful act, willfully committed.

I have
sustained
multiple

injury - the violation of another's legal right, for
which the law provides a remedy; wrong or inju-
stice. (2) harm or damage.

page 17

Jus et fraus nunquam cohabitant.

Right and fraud never abide together.

I've suffered - Civil injury - physical harm or property damage caused by breach of a contract or by a criminal offense redressable through a civil action.

I've suffered - personal injury - (2) any invasion of a personal right, including mental suffering and false imprisonment. (SEE PAGE 20)

I've suffered - legal injury - violation of a legal right.

Roland told me
that bookers
asked of me,
the Mo Chit I
was communi-
cating with
may have been

- sham - something that is not what it seems; a counterfeit (2) a person who pretends to be something that he or she is not; a faker.

Jason, Mel
issaki, katu
& MsChifai
have

- sexual relations - (1) sexual intercourse (2) physical sexual activity that does not necessarily culminate in intercourse. (SEE PAGE 5 FIGURE 1)

I had no
mens rea,
I only wanted
out of contract
a refund and
to show him
I wasn't scared
of him

- criminal intent - (1) SEE MENS REA (2) an intent to commit an actus reus without justification, excuse or defense. (SEE PAGE 35)

It seems -
Roland & Co.
have always
had this
malicious

- intention - the willingness to bring about something planned or foreseen; the state of being set to do something.

Booog
Gloves!
"2 pairs"

- mens rea - "guilty mind" the state of mind that the prosecution, to secure a conviction, must pro-

page 18

Jus ex injuria non oritur.

A right does not arise from a wrong.

(cont.)

ve that a defendant had when committing a crime; criminal intent or recklessness. (the mens rea for theft is the intent to deprive the rightful owner of the property) • 2nd of 2 elements of every crime in common law, the other being..

... actus reus - "guilty act" the wrongful deed that comprises the physical components of a crime and that generally must be coupled with mens rea to establish criminal liability; a forbidden act (the actus reus for theft is the taking of or unlawful control over property without the owner's consent)

Sixx I left APU in Sept. of last year I only went there once to accomplish a truce, agree a refund, or to take on Kafu in a boxing match as invited

emails & -
text messages
that are
misunderstood
and may have
been doctored
or sent by a
hacker?

corpus delicti - body of the crime (1) the fact of a transgression (2) loosely, the material substance on which a crime has been committed; the physical evidence of a crime.

this probably
doesn't apply
but it's good
to know

corpus delicti rule - the doctrine that prohibits a prosecutor from providing corpus delicti based solely on a defendant's extrajudicial statements. • the prosecution must establish the corpus delicti with corroborating evidence to secure a conviction.

(may
repeat)

motion - a written or oral application requesting court to make a specified ruling or order.

page 19

"on the job training" vocabulary words!)

(cont.)

(2) a proposal made under formal parliamentary procedure.

SEE PAGES #26,
46-47, 51-52, 54) calender motion - a motion relating to the time of court appearances. (examples include: motions to continue, motions to advance, motions to reset)

as of 12/5/07,
the defendant
has still not
received a copy
of the complaint
and the police
report after
repeated requests) motion to compel discovery : a party's request that the court force the party's opponent to respond to the party's discovery request. (as to answer interrogatories or produce documents)

THERE ARE NUMEROUS GROUNDS FOR DISMISSAL EXPLAINED THROUGHOUT THESE DOCUMENTS, SEE PAGES #30-34) motion to dismiss - a request that the court dismiss the case because of settlement, voluntary withdrawal, or procedural defect.

THERE ARE MANY REASONS WHY IT WOULD BE JUSTIFIED FOR A HIGHER COURT TO QUASH PROCEEDINGS AGAINST THE DEFENDANT. PLEASE TAKE INTO ACCOUNT THIS DOCUMENT IN THE WHOLE.) motion to quash - a party's request that the court nullify process or an act instituted by the other party, as in seeking to nullify a subpoena.

MANY EXHIBITS WERE ILLEGALLY SEIZED UNDER FRAUDULENT PRETENSES. OTHERS ARE DISPUTABLE SECONDARY EVIDENCE.) motion to strike: (evidence) a request that inadmissible evidence be deleted from the record and that the jury be instructed to disregard it. (SEE PAGES 55)

motion to suppress - a request that the court prohibit the introduction of illegally obtained evidence at a criminal trial. (SEE PAGES 55)

REF:WWW.WRESTLINGSCHOOLS.ORG/GENERIC1.HTML (HERSH, HERSH)

Lawsuit vs. All Pro Wrestling.Projected losses & compensations (for 3 month period)

- v. \$2,000 tuition fee paid (trained 1.5 months)
- v. \$8,640 lost wages (18./hour full time)
- v. \$ 600 storage unit for property (estimate)
- v. \$15,000 wrongful imprisonment (200./day)
- v. \$18,000 pain & suffering / mental anguish (200./day)
- \$10,000 slander & defamation (public)
- v. \$xx,xxx attorney costs (criminal/civil)

\$57,240 + attorney costs (v. indicates variable and will rise until my release)

Note: I was wronged and violated. The truth is made clear and justice must be honored.

All I wanted was a partial refund of my tuition paid for the 1.5* months of training, and at one point made it clear I would settle for half, to be released from the APW contract so that I may pursue training and a wrestling career elsewhere. Boland would not permit me demanding \$1,000 more before I may transfer. He lied and slandered me, and eventually blackmailed me to discourage me from bringing a lawsuit

matter
of
fact

+ excluding forced labor

!IMPORTANT! *This concluded to the rough draft report/essay on pages 30 through 34.

page 21

(motion to dismiss / basis)

argument 1

The defense requests the complete dismissal of criminal indictment on the basis of prejudiced, deliberate, and undue delay in prosecution resulting in suspect procedural defect, borderlining conspiracy, and in this case, showcasing entrapment by law enforcement officials soliciting with alleged victims whom are of affiliation with All Pro Wrestling, thus violating the defendant's Constitutional and Due Process Rights which will now suffer the defendant to a fair and just trial.

argument 2

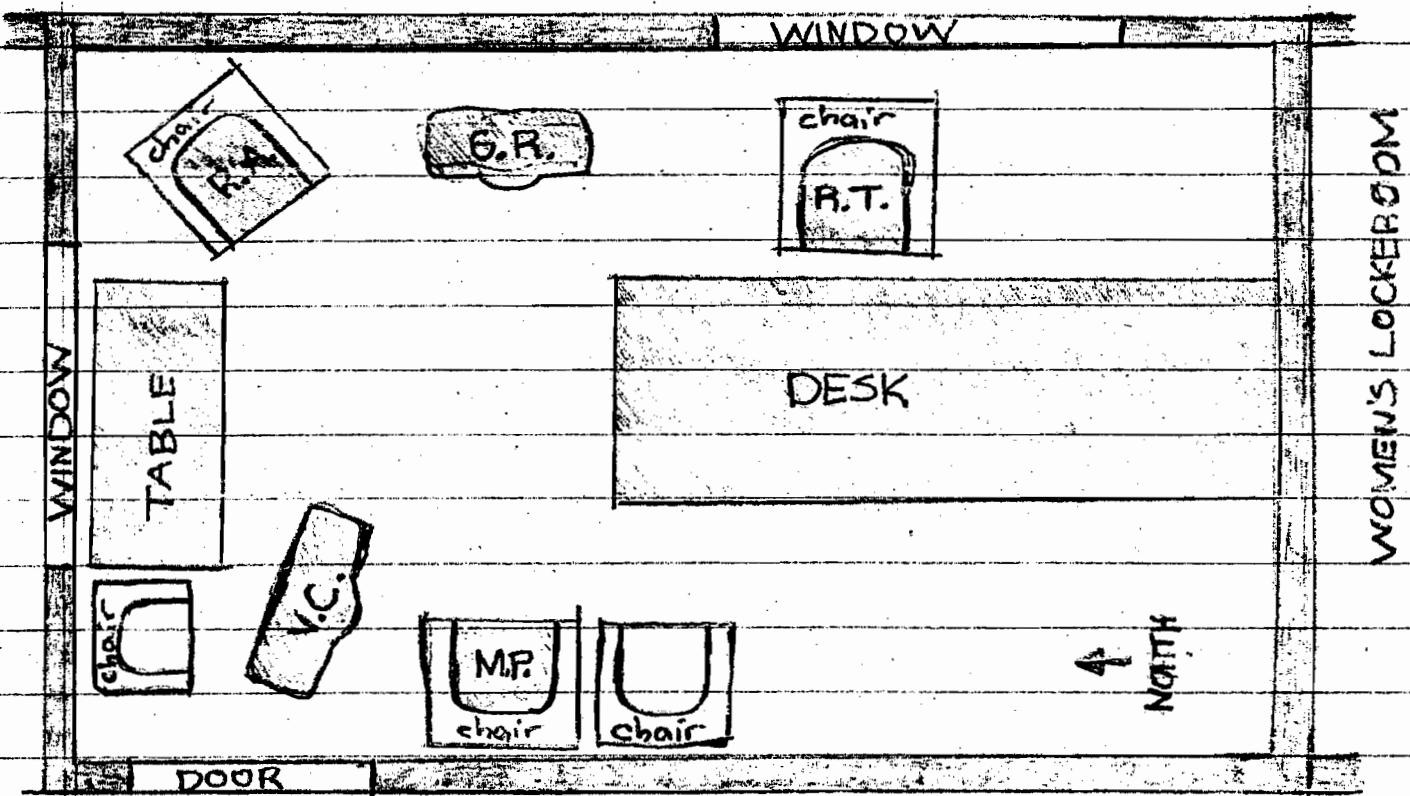
The defense requests the complete dismissal of criminal indictment on the basis of the defendant's initial and true victimization by the alleged victims in which there are grounds for probable cause of multiple criminal violations of the law, hence: PC182(a)(2), PC182(a)(4), PC519(2), PC519(3), PC519(4), PC137(a), PC137(b), PC137(c), PC136.1(1), PC136.1(2), PC136.1(c)(1), PC136.1(c)(3), PC474, thus violating the defendant's Civil and Human rights, in which he is now suffering continual damages until he is released from custody.

* (Themes to expand on and present to the court)

page 22

REF:MY DOCUMENTS/STARTOFTALL.TXT

Office Room Trap (threats of assault from Roland by the hand of kafu)



HALLWAY

DATE:

8/12/06 R.A. = Roland Alexander (scalding/threatening/

TIME: ? G.R. = Gabriel Ramirez

(yelling at me)

7-7:30pm R.T. = Robert Thompson (witness)

V.C. = kafu (continuously picked a fight/yelling)

M.P. = the defendant

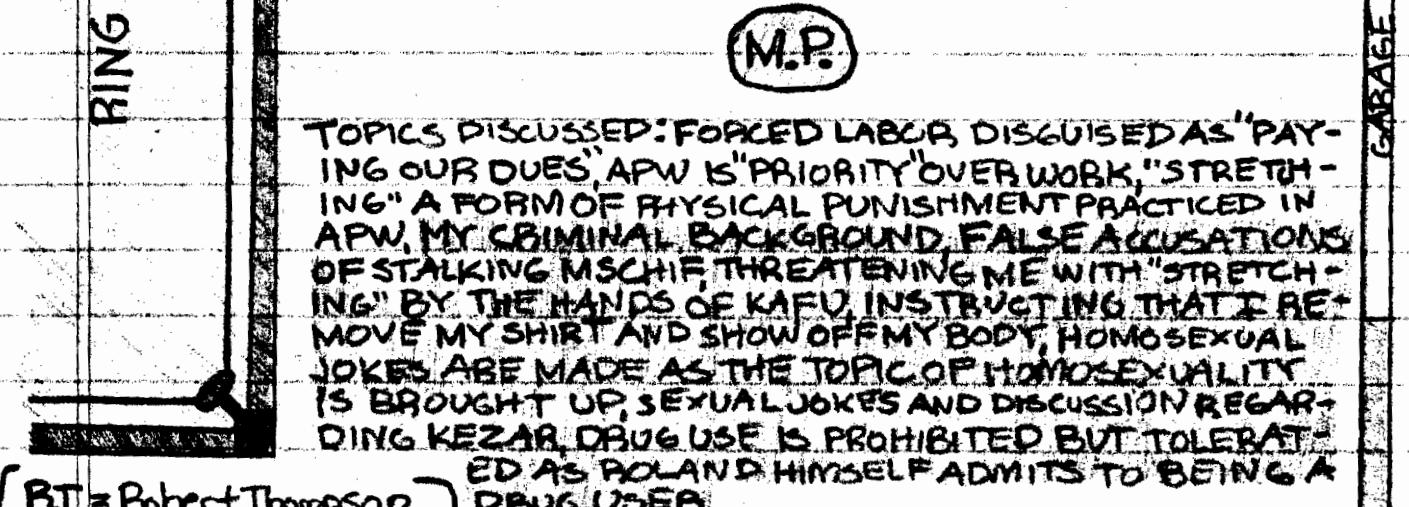
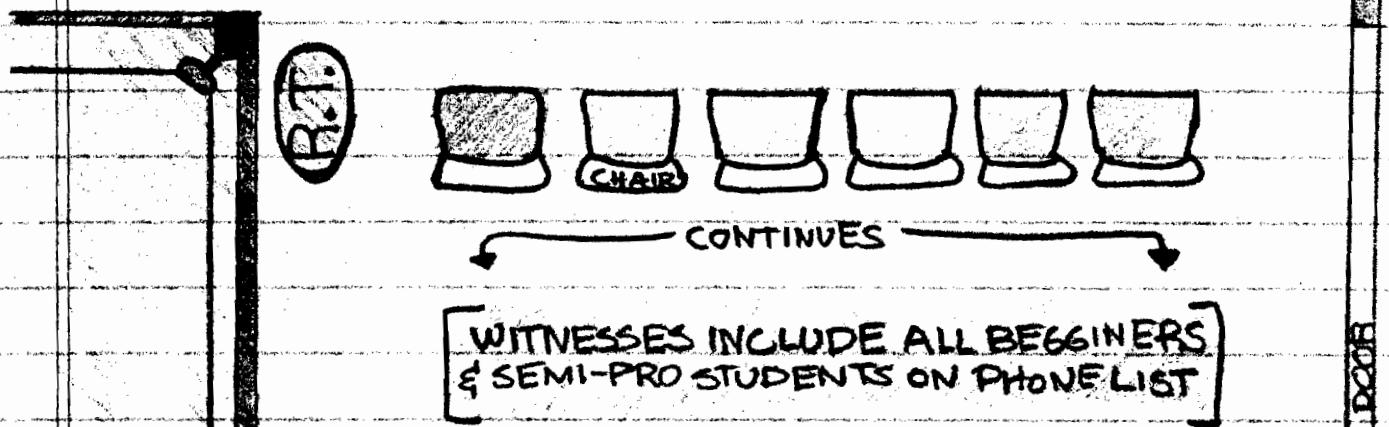
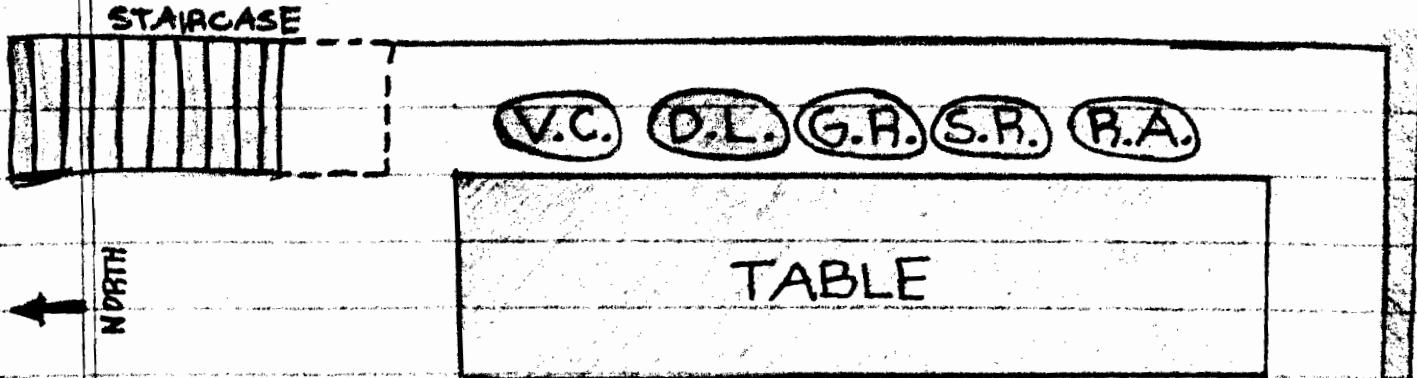
witnesses: Kristina Shipman (through lobby window)

Note Bulz (he entered in between to retrieve title belt)

Lenny Thomas (claimed others heard Roland & kafu screaming)

* a crime committed against the defendant, see pages 41&42

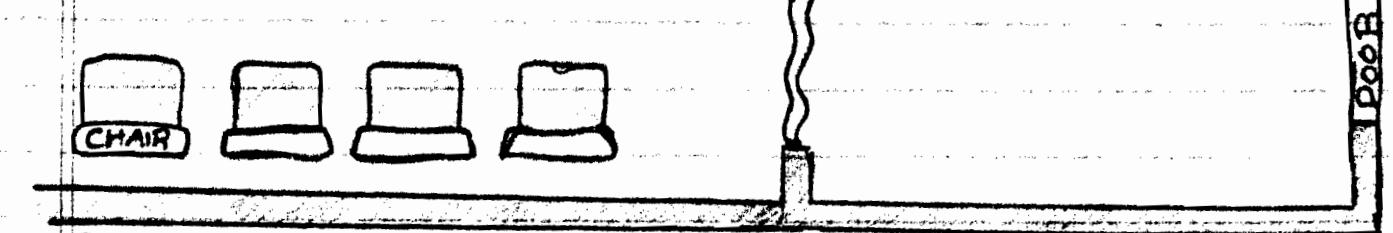
page #23

Pre-Camp Orientation (July '06)

P.T. = Robert Thompson
 V.C. = Kafu
 P.I. = Dora Nashibe
 G.R. = Gabriel Ramirez
 S.R. = Shannon Ramirez
 R.A. = Roland Alexander

M.P. = defendant

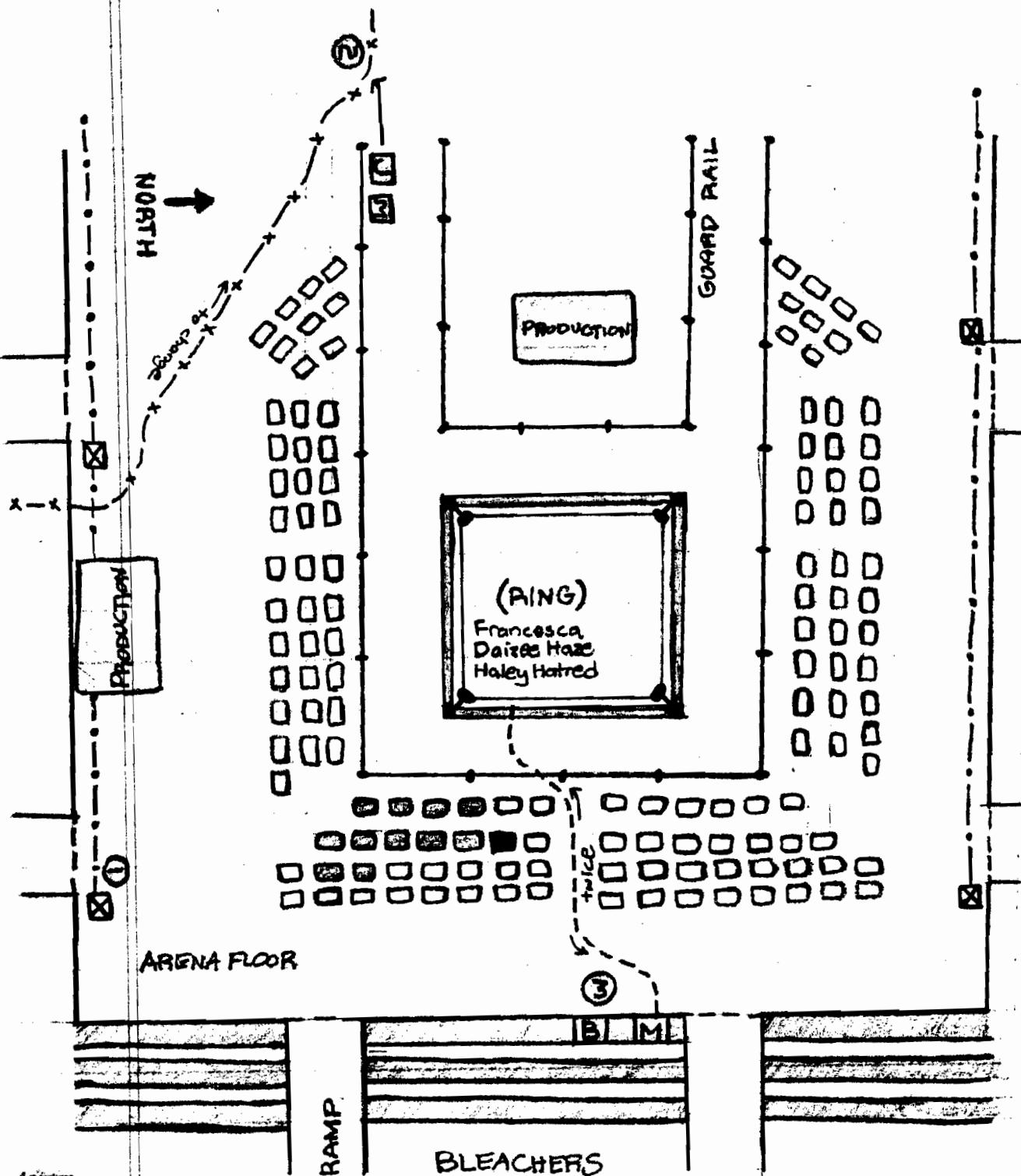
NOTE: I'M STANDING TOPLESS DURING THE SHADED DISCUSSIONS ABOVE.



page #24

All Pro Wrestling @ Kezar 9/1/06 (afternoon)

REF: MY DOCUMENTS / STABTOFITALL.TXT, LAST.TXT

KEY

- : speakers }①
- : cabling I set }①
- : my path when asked to change }②
- : Jason Deadrich }②
- : MsChif }②
- : Myself }③
- : other students }③
- : MsChif's path }③
- : MsChif }③
- : Bryan N. }③

FOOTNOTES ①, ②, ③ ON NEXT PAGE

age #25

All Pro Wrestling @ Kezar 9/1/06 (afternoon)

REF:MY DOCUMENTS/STARTOFITALL.TXT, LAST.TXT

(continued)

- ① Upon McChif's arrival, Damien (production) commands me to lay down speaker cable around the arena floor. I am to use the blue tape given, and tape three feet of cable with three feet gaps in between. The tasks take a little over half an hour. When I am done I'm told I've done it wrong. It is stripped off the floor, and I'm asked to use the black tape, completely covering the cabling. Now I'm given a hand by a couple other students.
- ② We students are resting and being entertained by Scotty Aboot on the southern bleachers. He speaks about booze and sex with groupies. Damien heads over to us and asks me if I had my security shirt. I reply yes and he tells me to go change. Jason and McChif are conversing. As I'm headed toward the back, Jason intercepts me arrogantly remarking with emphasis, "No problems here!" as he gestures to McChif, I nod so. Exiting the backstage heading towards my truck I meet Daizee Haze.
- ③ After returning from changing clothes, the other students were then seated in the south eastern ringside seats. I join them. Francesca, Daizee Haze, and Haley Hatred are in the ring rehearsing. McChif returns from business with Jason Derrich in the back and heads into the ring. Haley Hatred, then Daizee Haze shoot promos with cameraman Bryan N. on the eastern bleacher. McChif's turn comes up. She hops the guard rail near me and walks past. She screams multiple times into the camera grabbing everyone's attention including the wrestlers in the ring. The other students are either laughing or grinning as Scotty Aboot jumps into the seat left of me. I'm embarrassed. She starts to yell "FUCK ME!" in a growling voice in between her screams to the camera. She laughs and does this at least three times. Frankie and Daizee look upon her from the ring as if she were crazy. Scotty Aboot turns to me as he says aloud to the students, "She's a savage in the sack!" Matt and Abraham are laughing, and everyone else besides Mario have big grins on their faces. Suspicious, I ignore them. McChif then walks by me and back into the ring. A minute or two later, she hops over the guard rail again walking by me once more saying to Haley, "I'm trying—" in a girly voice, (I feel to incite me to talk to her) as she heads to Bryan to film more screams. Her screams seem more like desperate cries this time, ignoring then I leave.

McChif

McChif has performed in WWE ChickFight 4, 5, 6 @ the Kezar, then 7 & 8[?] in the UK, produced by Jason and his company Black Parts Productions. I learned of her in #4 during my first day of volunteering. Awhile later, I communicated with her (or an imposter) via yahoo messenger. She had been aware I had the hots for her. She hinted that we could meet sometime. I went to the 5/21/06 Shimmer Women's Wrestling show in Bellwyn, IL - to do so, she knew I was coming but I eventually chickened out leaving early to attend an Alice In Chains concert. My itinerary consisted of: 5/20 Chicago waterfront, downtown & Sears Tower, 5/21 Aquarium, Shimmer Show, Alice In Chains concert, 5/22 eat downtown Museum, see popular fountain. McChif returned for ChickFight 5, and I purposefully chose to work a moving job that day. Roland Alexander had left me a late invitation on a voicemail message claiming he had sent an earlier email reminder which I never received. I dropped by that show after work but left a short while later. I avoided McChif entirely during the 9/1 & 9/2 Kezar Shows. I did not sexually harass her as Roland claimed I did. I DID NOT STALK HER.

This prosecution/persecution is truthfully slanderous, and a definite

Note: prior to my case being called on 9/23, the arresting officer was soliciting with, from the seat behind, the assigned prosecutor for that day. With a big grin on his face almost as a frozen laugh with eyes ~~wide open~~ (I believe) I heard him say "she's taking it in the ass." as a sarcastic remark when I regard them. He then leaves. Eric and the prosecutor leave the courtroom shortly after returning before my case is called.

page #26

(SEE PAGE #52)

Constitutional Violation: Misrepresentation, Fraud in

the Court

TIMELINE:

- August 11 (arrest) by Burlingame Police Department in hayward, interrogated, escorted home & back, booked contact visit prior to arraignment by investigating officer. 2nd interview
- August 14 (arraignment) Eric M. Howe introduces himself in 10 minutes
- August 22 (assigned counsel) visit, I assert that I want a speedy trial Eric M. Howe makes a false misrepresentation proclaiming doubt to suspend proceedings
- August 23 (court appearance) Judge assigns doctors. Family gives documents to Eric. I give him 7-14. He's to make copies.
- August 29 (court appearance) Arresting officer searches my home and siezes a replica katana/ninja sword.
- August XX (search & seizure) Female doctor Singh evaluates me in regards to my competency. I felt her biased and prejudiced.
- September XX (Dr. Singh) A very formal and professional demeanor in regards to this doctor.
- September XX (2nd Evaluation) Eric introduces me to Dr. Singh promises copies. I give page #23
- September XX (counsel/investigator Visit) As suspected as Eric foreseen, he wanting time waived, Dr. Singh's report is fraudulently suspect
- September 26 (court appearance) assigned a 3rd Dr, a report will have been completed, though I believe actions deliberate.
- October 24 (court appearance) A result of a repeated misleading counsel and a suspect Dr. Singh.
- November 7 (estimated preliminary hearing) misleading counsel and a suspect Dr. Singh.

ARGUMENT:

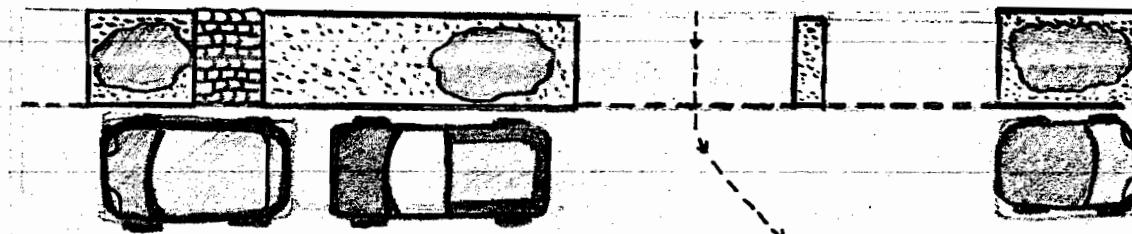
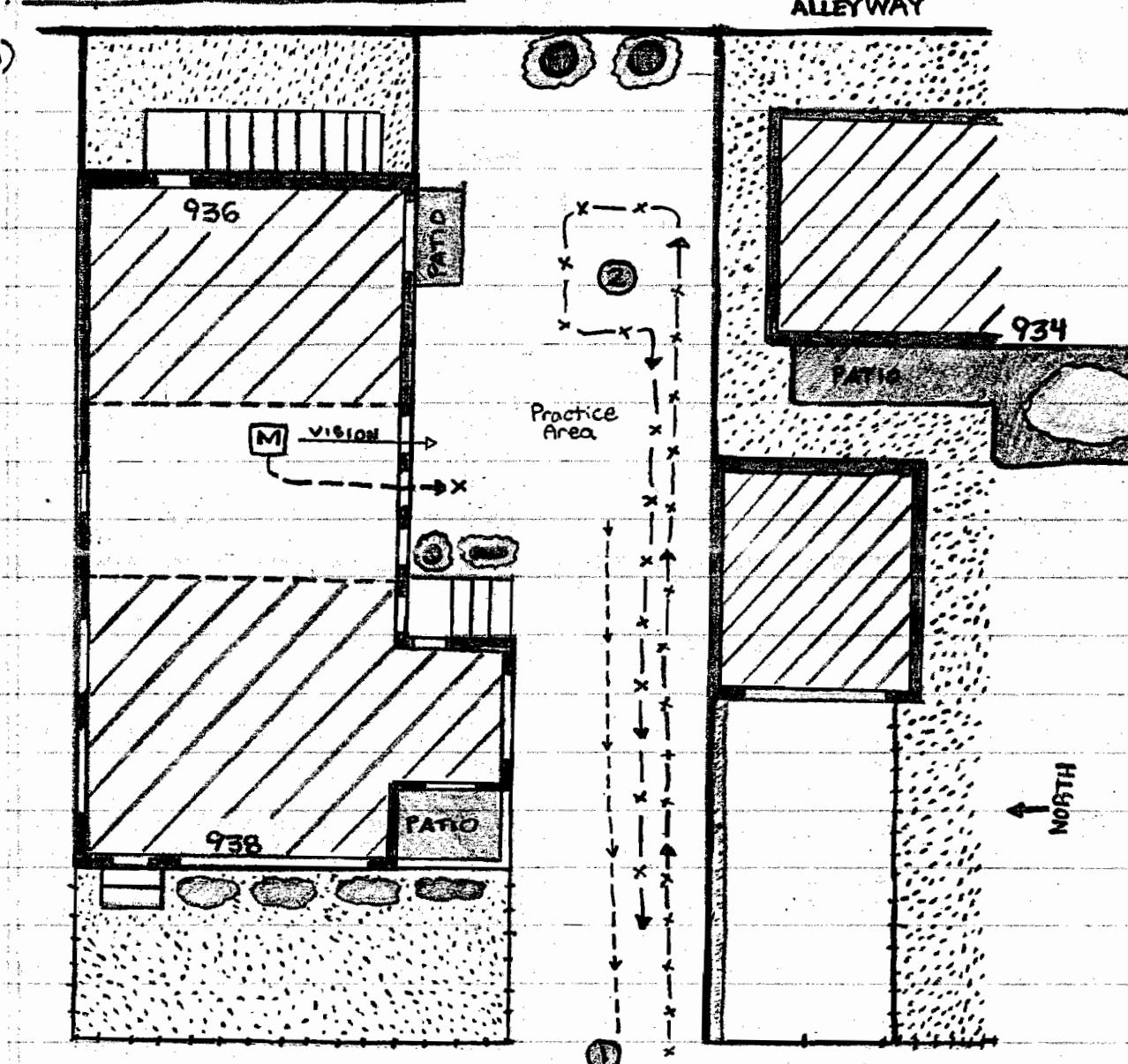
88 days from arrest & 85 days from indictment will have passed before my preliminary hearing (a result from a misrepresentation and suspect fraud in the court) thus violating my Constitutional Right to a speedy trial.

SUPPORT:

I am suspicious as to Eric M. Howe's credibility. He seems to be a condescending man who has made broken promises not executing what he willed, one who buys trust with promises or fibs as to what he has done or is doing. Eric M. Howe has spoken of a failed visit attempt with an investigator on the night of August 22, on my August 23 appearance. He then promised a visit that night with a doctor in the week, and an investigator as well. I am not seen by anyone. On 8/29 my family gives him documents #s 1-6. I hand him #s 7-14 and ask that he makes copies for me. He promises to mail a set to both my family and I. Eric then buys my trust by comforting me with the notion he will speak to my family in his office the following week to discuss my case. Appearing in court doctors are assigned. He then promises to visit but contradicts himself when he assures me he'll be assigned an investigator soon. Dr. Singh visits me. I answer her questions accordingly but I am suspicious to her attitude. It seems she is looking and fishing for any reason to give a negative report. She is biased against my wanting a speedy trial and trying to feed me with guilt. The second doctor was very professional. Eric visits a few days later with investigator Omar. Introducing me, the visit is short and I give him page #23. He promises to return copies of all my written documents at my next court appearance on 9/26. He asks that I waive time and hints I may need a third evaluation if Singh's is negative. On 9/26, I give him #s 24&25. He does not have my documents. He promises that Omar will visit me that day, and that Omar has the originals will turn up in the copies. This is the 3rd case I've had with

Suspicious Resemblances

page #27(a)



[explanations to numbered]
actions ①, ②, ③ are on
Page #27(b)]

PALOMA AVE.



page #27(b) Footnotes to Prior (Suspicious Resemblances)

① On a handful of occasions as far back as spring, I've been watched practicing martial arts and training in boxing, (in marked area) by whom I find a great resemblance to one of the arresting officers. (The shorter, older one who drove the night of my arrest.) One occasion I was practicing a naginata (japanese halberd) form, and the resembling fellow walked past my driveway on the sidewalk. (as shown) Watching me, he turned around slowly pacing the other way and paused. Then he continued as he reversed, again watching and walking slowly. I remember this clearly happening on at least three different occasions. Another time while I practice the katana. A third time I was punching a heavy bag set outside. On a final, more recent occasion one morning on my way to my truck, the resembling fellow then wearing an FBI black T-shirt greeted me a "Good Morning" as he walked north bound on the same sidewalk walking two small dogs. During the prior times, I recall him wearing a dark, possibly black suit.

② On one occasion, approximately late spring or early summer in the later afternoon, a man greatly resembling the investigating officer who arrested me, walked up my driveway (as shown) looking towards the unit above me. Alerted by radio gibberish as from a walkie talkie, I caught his initial pass through my window as marked. Curious, I then head towards my door to see who he is. As I step through my door he notices me and makes a wide round about turn as I nod to him. I thought of him as maybe a cable guy or of the sort, but now I honestly believe, in regards to these circumstances, it was the investigating officer who arrested me.

③ On the 5th of July, immediately after work I headed towards my landlord's shop to pay my rent. Disturbed by Kafu's revelation the previous week, I call him to speak my mind regarding his racial and religious remarks. I again give him my address so that he could face and speak to me like a man. I return home. Later, in the late afternoon, I exit and head towards my truck across the street. I'm walking down the driveway and notice the driver in the car parked behind my truck resembling an APW student watching me. As I walk forth towards my truck, he starts his car, backs up and speeds off. I keep an eye on him as he quickly makes the first right turn. I then text APW affiliates questioning this, they do not deny it. (Note: this car greatly resembled one referred to on page #29, a light metallic brown resembling an old Jetta or Corolla)

* Due Process Violations (suspect deliberate/biased/prejudiced proceedings) *

argument: Entrapment & Conspiracy on grounds that law enforcement solicited with APW affiliates to maliciously indict and prosecute the defendant.

- ✓ may have used alleged victim's cell phones (being held as evidence) to bait the defendant with late night phone calls, and/or taunting and mocking text messages.
- ✓ may have deliberately allowed and permitted the harassment of the defendant, by affiliates to induce detriment and collect evidence, via phone calls, voicemail message and/or texts.
- ✓ may have coached alleged victims or affiliates in regards to the situation, so that a prosecution, instead of a settlement, may be made. (Don't give him any money back.)
- ✓ have been biased and did not thoroughly investigate the situation, or chose to conceal the wrongs of the accusers. (Fraud, Fraud on the court, intrinsic fraud)
- ✓ did not formally contact the defendant in regards to an investigation, warn him of criminal acts, or serve him with then, a due restraining order. (malice, malicious arrest "resulting", prejudiced)

(pot, cocaine, steroids)

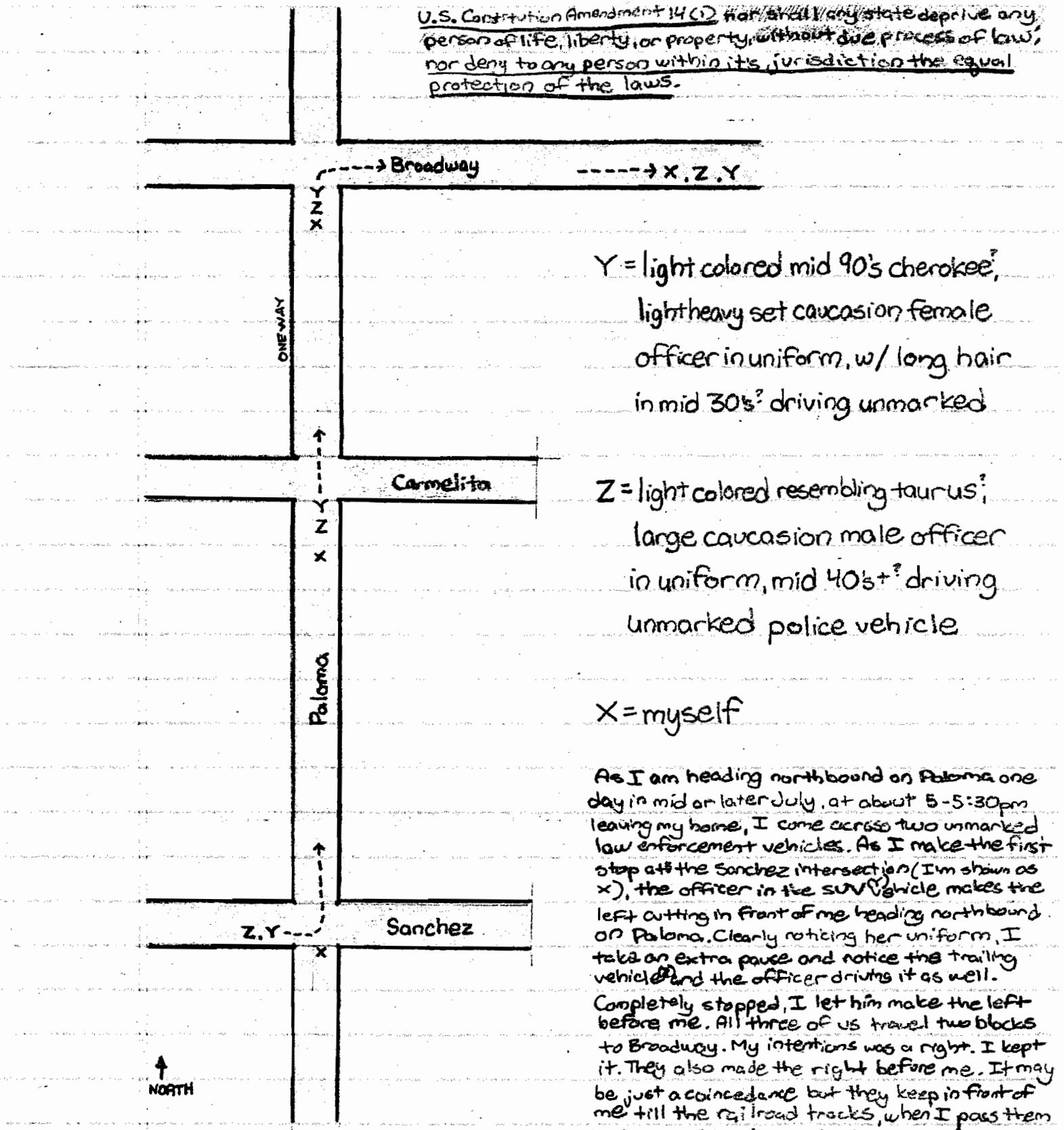
(_____, melissa, mschif)

opinion: "constructive"

Drug trafficking as well as prostitution resides about APW. I suspect the bribery of the investigator involved, who on the night of my arrest, moved about like a dope fiend.

_____ eyes/neck bobbing /twitching mouth
/a mood shift / cigarette smoker

page #28 Later July '07 Failed Arrest Attempt or Surveillance / Trailing?
 (late afternoon)



As I am heading northbound on Paloma one day in mid or later July, at about 5-5:30pm leaving my home, I come across two unmarked law enforcement vehicles. As I make the first stop at the Sanchez intersection (I'm shown as x), the officer in the SUV/vehicle makes the left cutting in front of me heading northbound on Paloma. Clearly noticing her uniform, I take an extra pause and notice the trailing vehicle and the officer driving it as well. Completely stopped, I let him make the left before me. All three of us travel two blocks to Broadway. My intentions was a right. I kept it. They also made the right before me. It may be just a coincidence but they keep in front of me till the rail road tracks, when I pass them both up and head towards the 101 south, to resume my productive and law abiding life, more relevant and significant than a fued or petty rivalry with the pro-wrestling school which had screwed me over and ripped me off.